



ADVANCE DIRECTIVES IN PENNSYLVANIA

In Pennsylvania you have the right to decide whether to accept, reject or discontinue medical care and treatment. There may be times, however, when you cannot make your wishes known. For example, you may be incompetent, in a terminal condition or in a state of permanent unconsciousness, and unable to tell the doctor what kind of care you would like to receive or not receive. This can be addressed through an advance directive. Advance directives convey decisions, in advance, about end-of-life or life-sustaining care. Advance directives are not used for decision-making if you are able to make the decision.

Your directive goes into effect when a copy is provided to your attending physician and your attending physician determines that despite being provided appropriate medical information, communication supports and technical assistance, you are unable to understand the benefits, risks and alternatives involved in a specific proposed healthcare decision, you are unable to make that healthcare decision on your own behalf, and you are unable to communicate that healthcare decision to any other person; and you are determined to be in an end-stage medical condition or permanently unconscious.

There are two types of advance directives, a living will and a health care power of attorney.

Living Wills

A living will ensures that your end-of-life wishes are carried out regarding life-sustaining procedures when you are unable to participate in those decisions, so that you live your final days with dignity. A living will is a written statement which indicates your preferences regarding the initiation, continuation, withholding, or withdrawing of medical treatment in the event that you lose decision-making capacity. Living wills tell how you feel about care intended to sustain life.

The living will is only used when the you are incapacitated and unable to give informed consent or refusal. Living wills may forbid the use of certain medical treatments to prolong life. A well drafted living will allows you to be very specific as to the circumstances under which you wish to refuse treatment. The living will should incorporate reasonable measures for comfort and pain relief.



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A living will does not appoint another person to make decisions and only applies to decisions regarding "life-sustaining treatment". Living wills provide support to your loved ones by guiding them in your wishes. Living wills are not only for the elderly since unexpected end-of-life situations can occur at any age, a living will is appropriate for adults of all ages.

The limitations of a living will resulted in the development of the health care proxy, also known as a health care power of attorney.

Health Care Proxy

A health care power of attorney or "health care proxy" appoints a person as a surrogate decision maker, who is authorized to direct medical decisions when you are unable to do so. This allows the proxy to make decisions regarding personal care, medical treatment, hospitalization, health care and medical procedures during a period of incapacity.

Your healthcare agent should be an adult and someone whom you trust to make serious decisions. The person should clearly understand your wishes and be willing to accept the responsibility of making medical decisions for you. You can appoint a second or third person as your alternate healthcare agents in case the first person you name as surrogate is unable, unwilling or unavailable to act for you. This document must be filled out by you while you have intact decisional capacity. In Pennsylvania it must also be signed by the designated surrogate.

Designating a proxy helps moderate disagreements among family members and clarify who makes the decisions for you. Without such a document, there can be confusion over who should make decisions.

General Information

Your Advance Directive is an important legal document. Keep the original signed document in a secure but accessible place. Give photocopies of the original to your healthcare proxy and alternate healthcare agents, doctor(s), family, close friends, clergy and anyone else involved in your healthcare. If you enter a care facility, have copies of your Directive placed in your medical records. Be aware that your Advance Directive will not be effective in the event of a medical emergency.

If you want to make changes to your Directive after it has been signed and witnessed, you must complete a new document. You may revoke your Pennsylvania Directive at any time and in any manner. Your revocation becomes effective when you, or a witness to your revocation, notify your doctor or other healthcare provider.